

inform the Senate that the House has passed the following:

The House refused to adopt Conference Committee Report on Senate Bill No. 3 by vote of 66 ayes, 59 noes, and requests the appointment of a new Conference Committee.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(President in the Chair.)

Memorial Resolutions

S. R. No. 12—By Senator Baker: Memorial resolution for Wharton E. Weems.

S. R. No. 19—By Senator Willis: Memorial resolution for A. M. "Jack" Armstrong.

Welcome Resolutions

S. R. No. 13—By Senators Moffett and Creighton: Extending welcome to Betsy and Sharon Davis of Wichita Falls.

S. R. No. 14—By Senator Schwartz: Extending welcome to Father A. R. Doga et al.

S. R. No. 15—By Senator Schwartz: Extending congratulations to Neil J. Riley of Angleton.

S. R. No. 17—By Senator Hazlewood: Extending welcome to Mr. and Mrs. A. D. Payne and daughter, Mary Anna, of Houston.

S. R. No. 18—By Senator Aikin: Extending welcome to Mr. and Mrs. Alvin Pfluger of Taylor.

S. R. No. 20—By Senator Fuller: Extending welcome to Miss Dianne Fuller of Tucson, Arizona, and Mrs. W. W. Huff of Austin.

(Senator Gonzalez in the Chair.)

Adjournment

On motion of Senator Hardeman the Senate at 10:05 o'clock p.m. adjourned until 11:00 o'clock a.m. on Monday, August 14, 1961.

Record of Votes

Senators Patman and Colson asked to be recorded as voting "Nay" on the motion to adjourn.

FOURTH DAY

(Monday, August 14, 1961)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

| | |
|-----------|-----------|
| Aikin | Lane |
| Baker | Martin |
| Calhoun | Moffett |
| Colson | Owen |
| Creighton | Parkhouse |
| Crump | Patman |
| Dies | Ratliff |
| Fuller | Reagan |
| Gonzalez | Roberts |
| Hardeman | Rogers |
| Hazlewood | Schwartz |
| Herring | Secrest |
| Kazen | Smith |
| Krueger | Willis |

Absent—Excused

| | |
|--------|---------|
| Hudson | Weinert |
| Moore | |

A quorum was announced presnt.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, August 12, 1961, was dispensed with and the Journal approved.

Leaves of Absence

Senator Weinert was granted leave of absence for today on account of illness in the family on motion of Senator Aikin.

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Secrest.

Senate Concurrent Resolution 2

Senator Baker offered the following resolution:

S. C. R. No. 2, Granting Elmer C. Gardner, Inc., permission to sue the State of Texas.

Whereas, Elmer C. Gardner, Inc., is a Texas corporation engaged in the general contracting business in this State; and

Whereas, Pursuant to contract with the State of Texas, the latter acting by and through its Highway Department, a duly established department of the State government, Elmer C. Gardner, Inc., did construct a bridge on State Highway No. 35 across Lavaca Bay in Calhoun County, Texas, said construction being designated by the State of Texas as Project F 10-59 (7), Control No. 179, Section 10, Job 34; and

Whereas, In the course of such construction, Elmer C. Gardner, Inc., was required to and did furnish materials and perform work in addition to that called for and required under its contract; and

Whereas, Elmer C. Gardner, Inc., claims that it is entitled to be compensated for the reasonable value of such extra or additional materials and labor; and

Whereas, It is the policy of the Legislature of the State of Texas to give and grant to its citizens the right to litigate any valid claim against the State of Texas in a court of competent jurisdiction, now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that Elmer C. Gardner, Inc., be, and it is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to recover judgment against the State of Texas for the reasonable value of such material, if any, furnished and such labor, if any, performed which was in addition to the materials which it may have been required to furnish and the labor it may have been required to perform under its contract with the State of Texas pertaining to the construction of a bridge on State Highway No. 35, across Lavaca Bay in Calhoun County, Texas, said contract being designated or identified as Project F 10-59 (7), Control No. 179, Section 10, Job 34, District No. 13, and that service of citation for the purposes herein granted may be served upon the State of Texas by serving the Attorney General, the Chairman of the State Highway Commission and the State Treasurer; and be it further

Resolved, That such suit may be

filed within two (2) years from the effective date of this Resolution; and be it further

Resolved, That any judgment which may be obtained pursuant hereto shall be paid solely from funds allocated by law to the State Highway Department; and be it further

Resolved, That no interest is or shall be recovered from the State of Texas and no admission of liability on the part of the State of Texas or of any fact is made, or intended to be made, by this Resolution.

The Resolution was read and was referred to the committee on Jurisprudence.

Report of Standing Committee

Senator Hardeman submitted the following report:

Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Jurisprudence, to which was referred S. C. R. No. 2, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Senate Concurrent Resolution 2 Ordered not Printed

On motion of Senator Baker and by unanimous consent, S. C. R. No. 2 was ordered not printed.

Senate Concurrent Resolution 2 On Second Reading

Senator Baker moved that Senate Rules 13, 32 and 38 and The Constitutional Rule requiring resolutions to be read on three several days be suspended and that S. C. R. No. 2 be placed on its second reading.

The motion prevailed by the following vote:

Yeas 28

| | |
|-----------|-----------|
| Aikin | Gonzalez |
| Baker | Hardeman |
| Calhoun | Hazlewood |
| Colson | Herring |
| Creighton | Kazen |
| Crump | Krueger |
| Dies | Lane |
| Fuller | Martin |

| | |
|-----------|----------|
| Moffett | Roberts |
| Owen | Rogers |
| Parkhouse | Schwartz |
| Patman | Secrest |
| Ratliff | Smith |
| Reagan | Willis |

Absent—Excused

| | |
|--------|---------|
| Hudson | Weinert |
| Moore | |

The President then laid before the Senate on its second reading.

S. C. R. No. 2, Granting Elmer C. Gardner, Inc., permission to sue the State.

The resolution was read and was adopted.

Recess

On motion of Senator Hardeman the Senate at 11:25 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Change in Conference Committee on House Bill 2

The President announced that Senator Reagan would be appointed in lieu of Senator Hudson on the Conference Committee appointed to adjust the differences between the two Houses on H. B. No. 2 on Saturday, August 12, 1961, since Senator Hudson was absent and excused on today.

At Ease

On motion of Senator Moffett the Senate at 2:13 o'clock p.m. agreed to stand At Ease until 3:00 o'clock p.m. today.

In Legislative Session

The President called the Senate to order at 3:00 o'clock p.m. today.

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Motion to reconsider vote by which the House refused to adopt Conference Committee Report on S. B. No. 3, prevailed by a non-record vote.

The House has adopted the Conference Committee Report on Senate Bill No. 3 by a vote of 84 ayes, and 42 noes.

Motion to reconsider vote by which House refused to adopt Conference Committee Report on H. B. No. 2, prevailed by vote of 65 ayes, 64 noes.

The House refused to adopt Conference Committee Report on H. B. No. 2 by vote of 68 ayes, 63 noes, and asks for a new Conference Committee. House has appointed the following Conferees: Hale, Ballman, Johnson of Dallas, Carriker, Collins.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 3

Senator Martin offered the following resolution:

S. C. R. No. 3, Granting Mrs. Anna Malone, et al, permission to sue the State of Texas.

Whereas, Billie Howard Malone was an employee of the State of Texas, engaged in employment of the Texas Youth Council at Gatesville, Texas; and

Whereas, He was killed by inmates of that school on the 31st day of July, and it is the desire of his heirs to bring suit against the State of Texas; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that his widow, Mrs. Anna Malone, and his children, Billie Howard Malone, Jr., age ten years, Anna Kay Malone, age eight years, John T. Malone, age four years, and Travis Malone, age two years, be and they are hereby granted permission to bring suit against the State of Texas and the Texas Youth Council of the State of Texas in any court of competent jurisdiction to determine if the State of Texas is liable in damages for the death of the said Billie Howard Malone and to recover judgment therefor; provided that service of citation and/or any other necessary process may be had upon the State of Texas by service upon the Attorney General; and, be it further

Resolved, That the purpose of this Resolution is to grant permission to the said Mrs. Anna Malone, Billie Howard Malone, Jr., Anna Kay Malone, John T. Malone and Travis Malone to bring suit against the State of Texas and the Texas Youth Council of the State of Texas, and no admission of liability of the State of Texas or the Texas Youth Council is made by this Resolution, and the facts as set out herein must be proved in court.

The resolution was read and was referred to the committee on Jurisprudence.

Conference Committee on House Bill 2

Senator Martin called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 2 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conferees on the bill on the part of the Senate: Senators Aikin, Hardeman, Smith, Martin and Reagan.

At Ease

On motion of Senator Kazen, the Senate at 3:12 o'clock p.m. agreed to stand At Ease until 3:30 o'clock p.m. today.

In Legislative Session

Senator Hardeman called the Senate to order as In Legislative Session at 3:30 o'clock p.m. today.

Report of Standing Committees

Senator Hardeman by unanimous consent submitted the following report:

Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Jurisprudence, to which was referred S. C. R. No. 3, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Senate Concurrent Resolution 3 On Second Reading

On motion of Senator Martin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its Second Reading the following resolution:

S. C. R. No. 3, Granting Mrs. Anna Malone, et al., permission to sue the State of Texas.

The resolution was read and was adopted.

At Ease

The Presiding Officer (Senator Hardeman in the Chair) at 3:40 o'clock p.m. announced that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The Presiding Officer (Senator Hardeman in the chair) called the Senate to order as In Legislative Session at 4:36 o'clock p.m. today.

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 2, Granting Elmer C. Gardner, Inc., permission to sue the State. (As Amended)

S. C. R. No. 3, Granting Mrs. Anna Malone, et al., permission to sue the State. (As Amended)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 3 With House Amendments

Senator Martin called S. C. R. No. 3 from the President's table for consideration of the House amendments to the resolution.

The Presiding Officer laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Martin moved that the Senate concur in the House amendments.

The motion prevailed.

**Senate Concurrent Resolution 2
with House Amendments**

Senator Baker called S. C. R. No. 2 from the President's table for consideration of the House amendments to the resolution.

The Presiding Officer laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Baker moved that the Senate concur in the House amendments.

The motion prevailed.

At Ease

The Presiding Officer (Senator Hardeman in the Chair) announced at 4:43 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 5:18 o'clock p.m. today.

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 3, A Bill to be entitled "An Act amending the Election Code of the State of Texas, enacted by Chapter 492, Acts of the Fifty-second Legislature, Regular Session, 1951, by adding thereto a new article providing procedure, powers and duties for special elections for United States Representative; and declaring an emergency."

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 5, Requesting the Texas Legislative Council to make a study of the procedures utilized in rate making by the Railroad Commission and report its findings to the next Regular Session of the Legislature.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**Conference Committee Report on
House Bill 2**

Senator Aikin submitted the following Conference Committee Report on H. B. No. 2:

Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate,

Hon. James A. Turman, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 2, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

AIKIN
SMITH
HARDEMAN
REAGAN
MARTIN

On the part of the Senate

HALE
BALLMAN
CARRIKER
COLLINS

On the part of the House

H. B. No. 2,

A BILL

To Be Entitled

An Act, Amending Section 2 of Article XX, Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, providing that amounts allocated to the Teacher Retirement System for the fiscal years beginning September 1, 1961 and September 1, 1962, shall be transferred to the General Revenue Fund, and making appropriations from the General Rev-

enue Fund to the Teacher Retirement System during each of these years; providing an effective date; providing for an actuarial report and the basis for matching contributions thereafter; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 2 of Article XX, Chapter 184, Acts of the Forty seventh Legislature, Regular Session, 1941 (compiled as Article 7083a, Vernon's Civil Statutes) as last amended by Section 2, Chapter 1, Acts of the Fifty-sixth Legislature, First Called Session, 1959, is hereby amended by adding thereto a new Subsection (3A) to read as follows:

"(3A) Regardless of the foregoing and all other provisions of Section 2, Article XX of Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941 (compiled as Article 7083a, Vernon's Civil Statutes), as amended, all allocations provided for the Teacher Retirement System for the years beginning September 1, 1961, and September 1, 1962, shall be transferred by the State Comptroller to the General Revenue Fund, and the appropriations for the State's matching funds for member contributions made in these two years to the Teacher Retirement System shall be and are hereby made from the General Revenue Fund as follows:

"(a) A sum equivalent to the contributions of the members of the Teacher Retirement System during the fiscal year beginning September 1, 1961, is hereby appropriated and shall be paid from the General Revenue Fund to the Teacher Retirement System, such payment to be made during the month of September, 1962.

"(b) A sum equivalent to the contributions of the members of the Teacher Retirement System during the fiscal year beginning September 1, 1962 is hereby appropriated and shall be paid from the General Revenue Fund, such payment to be made during the month of August, 1963.

"This Subsection shall be effective only for and during the fiscal years beginning September 1, 1961, and September 1, 1962.

Sec. 2. This Act shall be effective on and after September 1, 1961.

Sec. 3. The provisions of Section 1

of this Act shall have no force and effect after August 31st, 1963. From and after September 1st, 1963 all monies allocated pursuant to the provisions of House Bill 8, Acts of the Regular Session, 47th Legislature, as Amended, and appropriated by the State to the Teacher Retirement System shall be paid to the Teacher Retirement System in equal monthly installments based on the annual estimate by the State Board of Trustees of the Teacher Retirement System of the contributions to be received from the members of said System during the year; provided further, in the event said estimate of the contributions of the members of the System shall vary from the actual amount of the teachers' contributions during the year, then such adjustments shall be made at the close of each fiscal year as may be required.

Sec. 4. On or before December 31, 1962 an actuarial report on the Teacher Retirement Fund by a certified actuary shall be filed with the State Comptroller, and if upon this report the Comptroller finds the fund to be actuarially sound, then all future estimates thereafter and all allocations, appropriations, adjustments, and payments to the Teacher Retirement System shall be based on the aggregate yearly contributions of members, less the aggregate yearly withdrawals of member contributions.

Sec. 5. The fact that it is necessary that the operating funds of this State be placed in proper balance and the importance of this Legislation create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and this Act shall take effect and be in force on and after September 1, 1961.

The report was read and was adopted.

Record of Votes

Senators Hardeman, Baker, Creighton, Parkhouse, Calhoun, Willis, Ratliff, Owen and Patman asked to be recorded as voting "Nay" on the adoption of the above report.

At Ease

The President announced at 5:47 o'clock p.m. that the Senate would

stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 5:05 o'clock p.m. today.

Senate Concurrent Resolution 4

Senator Baker offered the following resolution:

S. C. R. No. 4—Providing sine die adjournment for Second Called Session for Monday, August 14, 1961, at 9:00 o'clock p.m.

Be It Resolved by the Senate of the State of Texas, the House of Representatives concurring, that the Second Called Session, 57th Legislature adjourn, sine die, at 9:00 p.m. Monday, August 14, 1961.

BAKER
MOORE
CREIGHTON
DIES
PATMAN
REAGAN
KRUEGER
ROBERTS
SECRET
CRUMP
SCHWARTZ
HERRING
OWEN
PARKHOUSE

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 2, Granting Elmer C. Gardner, Inc. permission to sue the State of Texas.

S. C. R. No. 3, Granting Mrs. Anna Malone, et al, permission to sue the State of Texas.

Senate Resolution 24

Senator Aikin offered the following resolution:

Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: At a caucus held on August 14, 1961, and attended by 26 members of the Senate, the following recommendations were made, to-wit:

Be it Resolved by the Senate, That following named employees be retained for a number of days at the per diem salary specified in each case to perform such duties as may be required of them in connection with the business of the State, viz:

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature, for which services he shall receive the same per diem (\$550.00 per month) which he now receives, and in addition thereto he and the Lieutenant Governor shall be furnished postage, telegraph, telephone, express and all other expenses incident to the office.

The Assistant Secretary of the Senate shall be employed by the Secretary of the Senate and shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature with a salary of \$14.00 per day.

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session and shall also employ some suitable person who shall index and annotate the Legislative Manual for the Senate of the Fifty-seventh Legislature and provide sufficient copies thereof to be paid for out of the Contingent Expense Fund for the use of the members of the Senate.

The Warrant Clerk shall be retained for a period of 28 days at a salary of \$14.00 per day.

The Calendar Clerk shall be retained for 22 days at a salary of \$14.00 per day.

The Journal Clerk, Mrs. Minnie Meier, shall be retained for a period of 360 days at \$15.00 per day, and Mrs. Olga Schneider, Assistant Journal Clerk, shall be retained for 360 days at \$13.00 per day.

The Sergeant-at-Arms, John Dorman, shall be retained for the ad-interim at the same pay he now receives (\$16.50 per day, plus \$50.00 per month), and 2 assistants for 15 days at \$12.00 per day. The Lieu-

tenant Governor may employ or retain at \$7.00 per day as many porters as may be necessary, and a head porter at \$12.00 per day.

The Enrolling and Engrossing Clerk shall be retained 21 days at \$19.00 per day, and 5 assistants to assist her shall be retained for 21 days at \$11.00 per day, and 1 assistant for 21 days at \$14.00 per day.

The private secretary of each Senator may be retained for 14 days at \$14.00 per day to perform such duties as may be required of them.

The postmistress shall be retained 6 days at \$14.00 per day, after which time the Secretary of the Senate shall attend to all mail of the Senators.

The Mailing Clerk of the Senate shall be retained for 15 days at \$14.00 per day and 1 assistant for 15 days at \$13.00 per day, and 1 assistant for 5 days at \$11.00 per day and one assistant at \$12.00 per day for 7 days.

The Chairman of the Senate Committee on Contingent Expenses is hereby authorized and directed to cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the First and Second Called Sessions of the Fifty-seventh Legislature. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary, properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he shall be entitled to receive his actual and necessary expenses incurred while in the performance of such duties during the interim.

The Lieutenant Governor shall appoint a Custodian of the Senate to perform such services as the Lieutenant Governor or the Secretary of the Senate may direct and the Custodian to receive the sum of \$11.00 per day.

Resolved, That there shall be printed 325 volumes of the Senate Journal of the Regular Session, the First Called Session and the Second Called Session of the Fifty-seventh Legislature, and when completed, 250 copies shall be bound in buckram and

delivered to the Secretary of the Senate and one volume thus bound shall be forwarded by the Secretary of the Senate to each member of the Senate and House of Representatives, to the Lieutenant Governor, and 75 paper bound copies shall be furnished to the State Library. The printing of such Journals shall be done in accordance with the provisions of this resolution under supervision of the Chairman of the Committee on Contingent Expense, provided further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the pre-existing law as finally approved by the Chairman of the Committee on Contingent Expenses of the Senate. When the accounts have been certified to by the Chairman of the Committee on Contingent Expense of the Senate, said accounts shall be paid out of the Contingent Expense Fund of the Fifty-seventh Legislature; and be it further

Resolved, That all salaries herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the Fifty-seventh Legislature upon warrants signed by the Lieutenant Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate shall be paid upon warrants signed by the Lieutenant Governor and Chairman of the Senate Committee on Contingent Expenses; and be it further

Resolved, That the cash balance on hand under the provisions of S. R. No. 15 of the Forty-seventh Legislature be turned over to the Secretary of the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said resolution; and be it further

Resolved, That a matron be retained for the women's rest room at a salary of \$7.00 per day; and be it further

Resolved, That the Lieutenant Governor and the Chairman of the Senate Committee on Contingent Expense shall have authority to employ such additional personnel as may from time to time be required and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of

the next session of the Legislature; and be it further

Resolved, That with the approval of the Lieutenant Governor and the Chairman of the Committee on Contingent Expense, the actual expenses of members serving on interim committees whose expenses are not otherwise provided for shall be reimbursed from the Contingent Expense Fund; and be it further

Resolved, That the Lieutenant Governor is authorized to appoint a clerk during the ad-interim to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expense Committee at a salary of \$8.00 per day in an office to be assigned; and be it further

Resolved, That the Lieutenant Governor is authorized to appoint Rev. W. H. Townsend, Senate Chaplain, during the ad-interim as an assistant to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expense Committee at a salary of \$11.00 per day.

The Sergeant-at-Arms is specifically directed not to permit the removal of any of the property of the Senate from the Senate Chamber or the rooms of the Senate.

Respectfully submitted,
AIKIN,
Chairman of the Caucus

The resolution was read and was adopted.

Record of Vote

Senator Moffett asked to be recorded as voting "Nay" on the adoption of the above resolution.

Election of President Pro Tempore Ad Interim

The President announced the election of the President Pro Tempore Ad Interim for the Second Called Session of the Fifty-seventh Legislature as the next order of business.

Senator Hardeman nominated the Honorable Bruce Reagan of Nueces County as President Pro Tempore for the Ad Interim of the Second Called Session of the Fifty-seventh Legislature.

There being no further nominations, the President requested the Senators to cast their ballots for President Pro Tempore Ad Interim

of the Second Called Session of the Fifty-seventh Legislature.

The ballots were taken up and counted and the result was announced as follows:

Senator Reagan received 27 votes with one present not voting.

The President declared that the Honorable Bruce Reagan had been duly elected President Pro Tempore Ad Interim for the Second Called Session of the Fifty-seventh Legislature and appointed Senators Kazen, Fuller and Hardeman to escort Senator Reagan to the President's Rostrom.

The President then administered the Constitutional Oath of Office as President Pro Tempore Ad Interim for the Second Called Session of the Fifty-seventh Legislature to Senator Reagan.

The President then presented Senator Reagan to the Senate as the President Pro Tempore Ad Interim of the Fifty-seventh Legislature to the Members of the Senate.

President Pro Tempore Reagan addressed the Senate thanking the Members for the honor bestowed upon him and expressed his and Mrs. Reagan's appreciation therefor.

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 6, Providing for the creation of the Electronic Computer Co-ordinating and Use Committee and designating membership and duties of said Committee.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

At Ease

The President announced at 6:17 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 6:44 o'clock p.m.

Recess

On motion of Senator Calhoun the Senate at 6:45 o'clock p.m. took recess until 8:00 p.m. today.

After Recess

Senator Martin called the Senate to order at 8:00 o'clock p.m. today.

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill No. 2 by a vote of 75 ayes, 57 noes.

H. C. R. No. 7, Providing for sine die adjournment of the Second Called Session of the Fifty-seventh Legislature.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Concurrent Resolution 7 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 7, Providing for sine die adjournment of the Second Called Session of the Fifty-seventh Legislature.

The resolution was read.

On motion of Senator Kazen and by unanimous consent the resolution was adopted.

At Ease

The Presiding Officer (Senator Martin in the Chair) announced at 8:06 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 8:45 o'clock p.m.

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 14, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 4, Sine Die Resolution for August 14, 1961 at 9:00 p.m.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 7, Providing for sine die adjournment of the Second Called Session of the Fifty-seventh Legislature.

H. B. No. 2, A Bill to be Entitled "An Act, Amending Section 2 of Article XX, Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, providing that amounts allocated to the Teacher Retirement System for the fiscal years beginning September 1, 1961, and September 1, 1962, less aggregate amount of contributions withdrawn during each such fiscal year, shall be transferred to the General Revenue Fund, and making appropriations from the General Revenue Fund to the Teacher Retirement System during each of these years; making an appropriation; providing an effective date; and declaring an emergency."

S. C. R. No. 4, Providing for Sine Die Adjournment of the Second Called Session of the Fifty-seventh Legislature.

Committee to Notify House of Representatives

The President announced the appointment of the following committee to notify the House of Representatives that the Senate had completed

its labors and was ready to adjourn sine die: Senators Patman, Kazen and Schwartz.

Committee to Notify Governor

The President announced the appointment of the following committee to notify the Governor that the Senate had completed its labors and was ready to adjourn sine die: Senators Moffett, Rogers and Martin.

Governor Notified

The Committee to Notify the Governor that the Senate was ready to adjourn Sine Die appeared at the Bar of the Senate and Senator Moffett for the committee notified the President that it had performed the duty assigned.

The President announced that the Committee would be discharged.

House Notified

The Committee to Notify the House that the Senate was ready to adjourn Sine Die appeared at the Bar of the Senate, and Senator Kazen for the committee notified the President that the committee had performed the duty assigned it.

The President announced that the Committee would be discharged.

Senate Notified

A committee from the House appeared at the Bar of the Senate and Representative Blaine for the committee announced that the House of Representatives was ready to adjourn sine die.

Welcome Resolutions

S. R. No. 21—By Senator Roberts: Extending welcome to Mr. and Mrs. J. L. Huffines, Jr. and sons.

S. R. No. 22—By Senator Aikin: Extending welcome to J. D. Thomas and James Deatherage.

S. R. No. 23—By Senator Gonzalez: Extending welcome to Attorney A. A. Garza et al.

Adjournment Sine Die

The President announced that the time had arrived for the final adjournment of the Second Called Session of the Fifty-seventh Legislature.

Senator Colson moved that the Senate stand adjourned sine die.

The motion prevailed and the President declared at 8:55 o'clock p.m. that the Second Called Session of the Fifty-seventh Legislature was adjourned sine die.